

The Kentucky Board of Interpreters for the Deaf and Hard of Hearing
Regular Board Meeting
May 18, 2011

A meeting of the Kentucky Board of Interpreters for the Deaf and Hard of Hearing was conducted on May 18, 2011 at the Office of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky.

Members Present

Artie Grassman, Board Chair
Daniel R. Roush, Vice Chair
Timothy E. Owens
Rita Zirnheld
Joy Kiser
Hunter Bryant, Secretary
Marcie Jeffers

Occupations and Professions

Karen Lockett, Board Administrator

Others

Michael West, Board Attorney
Linda Bozeman - Policy Committee
Derek Drury - Policy Committee
Charlee D. Mathis - Interpreter
Tammy Cantrell - Interpreter

Call to Order

Ms. Grassman, Chair called the meeting to order at 10:15 a.m.

Approval of Minutes

Mr. Owens made a motion to approve the March 9, 2011 minutes. Mr. Roush seconded the motion. Motion carried.

Financial Statement

The Board reviewed and discussed the March and April financial report.

Mr. Owens made a motion to accept the financial statement as presented. Ms. Zirnheld seconded the motion. Motion carried.

Executive Director's Report

No Report

Deputy Executive Director's Report

No Report

Board Chair Report

Ms. Grassman brought up a question she had received from several temporary licensee regarding the Interpreter Temporary Licensees that were going to be terminated on June 30, 2011 who were out of extension. The question being asked was about test scores not being available during the renewal period or temporary licensees have not yet taken the NIC Performance exam far enough in advance to get their scores prior to renewal and would they receive an extension until they received their test results. The Board ascertained that there would not be any extensions due to extenuating circumstances for those who are no longer eligible for a temporary license as we have no statutory authority to do so, according to our Board Attorney, Michael West.

License Status Report

(2011) 194 Full Licensed Interpreters / 84 Temporary Interpreters

Complaints

Complaint #1101 – Ongoing

Mr. Owens made a motion for the Board Counsel to send the applicant, cited in complaint #1101, a Settle Agreement and to defer the application until further notice. Ms. Zirnheld seconded the motion. Motion carried

The Board reviewed and discussed a complaint on a non-licensed individual. The Board voted for Counsel to send a Cease and Desist letter to the non-licensed individual via certified mail and requested a returned signature. – Ongoing

Board Counsel Report – Michael West

Mr. West informed the Board that the Legislative Research Commission (LRC) replied to the regulatory amendments and advised that it may require substantial revision. Mr. West stated that the revision relates to dividing licensees into categories of licensure based on what forum they are working in... educational vs. community. The LRC is of the opinion that the Board does not have the statutory authority to draft the regulations to set up a separate full license category. Mr. West informed the Board that the regulations have currently been deferred pursuant to the Board's instructions from the Special Board Meeting on March 9, 2011.

The Board reviewed and discussed 201 KAR 39:010, 201 KAR 39:030, 201 KAR 39:040, 201KAR 39:050, 201 KAR 39:060, 201 KAR 39:070, 201 KAR 39:080, 201 KAR 39:090, 201 KAR 39:100, 201 KAR 39:120 .

The Board consensus was to allow Ms. Linda Bozeman to draft a letter to the LRC with the Board's justification for an educational license and to send it to Michael West, Board Counsel to forward to the LRC.

Mr. Roush made a motion to continue with the regulatory process amendment and provisional changes. Ms. Kiser seconded the motion. Motion carried.

The Board received a letter from Mr. Ryan Halloran, Assistant Director from the Office of the Attorney General. The letter stated that due to the recent changes in staff positions in the Office of the Attorney General, they have reviewed the process of assigning hearing officers to new cases in an effort to save time and efficiency. Mr. Halloran stated that the small change will assist in providing their customary expert hearing officer services to the organization in a more efficient manner.

The Board received a Memorandum from Mr. Ryan Halloran regarding Annual Ethics Training Conducted by the Executive Branch Ethics Commission Personnel for Members of the Executive Branch Boards and Commissions. Mr. Halloran stated that boards and their respective administrators that beginning in July of 2011, at the Governor's request, personnel of the Executive Branch Ethics Commission will offer training to Executive Branch boards and commissions on the requirements placed on board members by Executive Order 2008-454, paragraphs 6, 7, 8 and 9, and Executive Order 2009-882. The Memorandum stated that it was the opinion of the Attorney General that the boards and their administrators should take this training, therefore they encouraged the boards to schedule the training.

The Board received information from Mr. Morgan Ransdell, Office of the Attorney General , Department of Justice Guidance for Licensure Boards and OAG Attorneys that represent licensure boards. In summary, the Civil Rights Division of the U.S. Department of Justice recently settled a civil Rights case in which DOJ asserted that a private cosmetology school violated Title III of the ADA when it denied admission to an applicant with HIV/AIDS. In conjunction with the settlement of this action, the Civil Right Division issued the attached technical guidance and requested that each Attorney General in the country take any necessary steps to eliminate any policies or procedures that preclude or interfere with the ability of persons with HIV/AIDS to obtain occupational training and licensure.

Old Business

New Business

The Board received a letter from Penny Smith regarding an extension on her temporary license even with the knowledge that she had received as many extensions as allowed. The Board reviewed and discussed this issue. The Board Chair noted the earlier discussion (See Board Chair Report) and no additional extensions of time can be granted, regardless of extenuating circumstances, for those who are no longer eligible for a temporary license.

Application Review

Ms. Zirnheld made a motion to approve applications as specified below:

Tanesha R Poly – Deferred

Katherine Schmitt – Deferred

Adam T. Freihaut – Approved

Susan M. Zarzycki – Approved

Ms. Bryant seconded the motion. Motion carried

Audit Reveiw

Ms. Zirnheld made a motion to approve Audit applications as specified below:

Rebecca Reihm – Approved

Tina Savelyev – Approved

Ms. Bryant seconded the motion. Motion carried

Reinstatement Review

Ms. Zirnheld made a motion to approve the Reinstatement as specified below:

Melanie French – Approved

Ms. Bryant seconded the motion. Motion carried.

Approval of Travel/Per Diem

Mr. Owens made a motion to approve travel and per diem for this Board meeting. Ms. Roush seconded the motion. Motion carried.

Adjournment

Mr. Owens made a motion to adjourn the meeting at 1:55 p.m. Ms. Zirnheld seconded the motion. Motion carried.

Next Board Meeting Date

September 14, 2011 @ 1:00 p.m.

Approved:

Artie Grassman, Board Chair

Minutes Prepared by Karen Lockett, Board Administrator
May 18, 2011